

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELI MISTOVICH, JR.)	
Plaintiff)	
)	
v.)	C.A. No. 04-12340-EFH
)	
ELIZABETH BOWDEN, STEPHEN)	
URBAN, STEPHEN NEVERO and)	
ALISON LEATON)	
Defendants)	
)	

AFFIDAVIT OF LAURIE F. RUBIN IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

1. My name is Laurie F. Rubin and I am counsel to defendants Elizabeth Bowden, Stephen Urban and Stephen Nevero in this case.
2. Attached hereto as Exhibit A is a true and accurate copy of excerpts of the deposition of Eli Mistovich, Jr., taken on September 22, 2005.
3. Attached hereto as Exhibit B is a true and accurate copy of excerpts of the deposition of Elizabeth Bowden, taken on September 27, 2005.
4. Attached hereto as Exhibit C is a true and accurate copy of excerpts of the deposition of Stephen Nevero, taken on September 15, 2005.
5. Attached hereto as Exhibit D is a true and accurate copy of excerpts of the deposition of Stephen Urban, Jr., taken on September 14, 2005.
6. Attached hereto as Exhibit E is a true and accurate copy of excerpts of the deposition of Alison Leaton, taken on September 29, 2005.
7. Attached hereto as Exhibit F is a true and accurate copy of Urban Deposition Exhibit 2, the resume of Marvin F. Morgan, Jr.

8. Attached hereto as Exhibit G is a true and accurate copy of Nevero Deposition Exhibit 5, an e-mail exchange on March 11, 2004 between Elizabeth Bowden and Alison Leaton.
9. Attached hereto as Exhibit H is a true and accurate copy of Nevero Deposition Exhibit 7, notes by S. Nevero of Interview of Eli Mistovich on 3/26/04.
10. Attached hereto as Exhibit I is a true and accurate copy of Mistovich Deposition Exhibit 11, Interview Questions to Ask Eli Mistovich regarding his hiring process for Trackmen – March 2004.
11. Attached hereto as Exhibit J is a true and accurate copy of Bowden Deposition Exhibit 30, Interview Questions to Ask Alison Leaton regarding hiring process completed by Eli Mistovich with Trackmen – March 2004.
12. Attached hereto as Exhibit K is a true and accurate copy of the Boston Globe article entitled, “The Hard Numbers: Segregation Remains Real, Widespread” (March 9, 2003).

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 31st DAY OF OCTOBER, 2005.

/s/ Laurie F. Rubin
Laurie F. Rubin